Acknowledgment and Notice of Acknowledgment of Acceptance of R.S. 2477 Right-of-Way Grant Ent: 309568 - Pg 1 of 13
Date: 6/23/2008 12:52 PM
Fee: \$0.00 NO CHARGE
Filed By: RGL
CALLEEN B PESHELL, Recorder
Tooele County Corporation
For: STATE OF UT GOVERNORS OFF

THE STATE OF UTAH

TO ALL WHOM THESE PRESENTS SHALL COME, Greeting:

Know ye, This is an Acknowledgment and Notice of Acknowledgment made under Utah Code Sections 72-5-309 through 310 inclusive, that the grant of the United States of America of "the right of way for the construction of highways over public lands, not reserved for public uses" under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its political subdivision Tooele County as it pertains to the highway located in Tooele County known as Lincoln Highway; County Road Number: tc02609; State Geographic Information Database (SGID) Road Identification Number: RD230086. Total road length is 3.66 miles more or less.

The reason for this Acknowledgment and Notice of Acknowledgment includes, but is not limited to, the fact that the road was constructed, mechanically, or by continuous use as a public highway for a period of at least ten years, over public lands not reserved for public uses, prior to the earlier of (a) the October 21, 1976 repeal of R.S. 2477 or (b) the date the servient estate was reserved for public uses.

This Acknowledgment and Notice of Acknowledgment applies only to the segments of the road that traverse land owned by the Bureau of Land Management, United States Department of the Interior, and does not apply to segments of the road that traverse land owned by any other person or entity. The State of Utah and its political subdivisions reserve the right to make further acknowledgments and notices of acknowledgment with regard to road segments that traverse land owned by other entities, including the United States of America, through one or more of its agencies.

A printed copy of a map showing the location of the road in said county is appended hereto as "Attachment 1," a printed copy of representative photos of the road is appended hereto as "Attachment 2," a printed copy of a description of the beginning and ending points of the entire road together with a list of Townships, Ranges and Sections that may be traversed by the road in said county is appended hereto as "Attachment 3," and a printed copy of the Road Centerline Description Cover Page(s) is appended hereto as "Attachment 4." The Appendices listed in "Attachment 4" that contain the actual road centerline descriptions are incorporated herein by reference. Affidavits provided by individuals familiar with the road are appended hereto as "Attachment 5."

A printed copy of this Acknowledgment and Notice of Acknowledgment, together with its Attachments and Appendices, may be viewed and/or obtained at the office of the Utah State Archives.

An electronic copy of this Acknowledgment and Notice of Acknowledgment, together with its Attachments and Appendices, may be viewed and/or downloaded as read-only PDF (Portable Document Format) files via the

Internet at http://recorded2477roads.utah.gov.

The owner of the servient estate in the land underlying the road-segments subject to this Acknowledgment and Notice is believed to be the United States of America through one or more of its agencies. Any of such agencies or any other person with a servient ownership claim or a competing dominant estate right-of-way ownership claim, may file a petition in the State District Court for Salt Lake County for a decision regarding the correctness of this Acknowledgment. A claimant shall file a petition within sixty (60) days after receipt of this Notice.

In Witness Whereof, I, John Harja, the official designee of the Governor of the State of Utah, in conformity to the laws of the State (Utah Code Sections 72-5-308 through 310 inclusive), have caused this Acknowledgment and Notice of Acknowledgment to be made.

Signed by my hand in Salt Lake City, Utah, the 2010 day of John , 200 8.

By the Governor's Designee

CERTIFICATION

| State of Utah |) |
|---------------------|------|
| | : SS |
| County of Salt Lake |) |

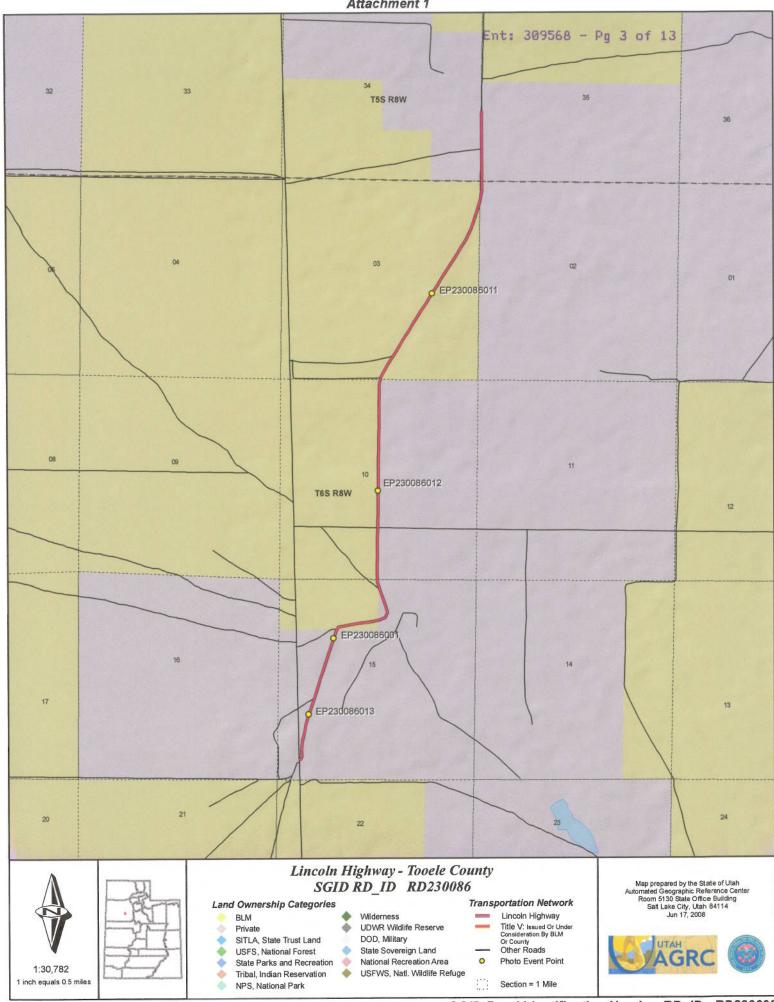
I hereby certify that the signer of the foregoing document, John Harja, is personally known by me, has made a voluntary signature and taken an oath stating that he is the official designee of the Governor of the State of Utah and is authorized to sign this document on the Governor's behalf pursuant to Utah Code Section 72-5-309. He further vouched that, based upon information and belief, the facts alleged therein are true.

> NOTARY PUBLIC PAMELA Z. BLACKHAM 5110 State Office Bldg Salt Lake City, Utah 84114 COMMISSION EXPIRES

Dated this 20 Hd day of June, 200 8.

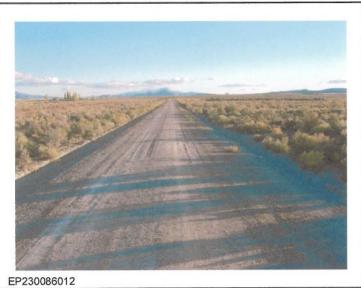
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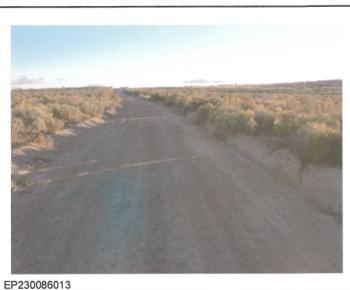
Notary Public











EP000000000

Lincoln Highway - Tooele County

SGID RD_ID RD230086

Map prepared by the State of Utah
Automated Geographic Reference Center
Room 5130 State Office Building
Salt Lake City, Utah 84114
June 18, 2008



Attachment 3

Beginning & Ending Points and Township, Range, and Section References For:

Popular Name: Lincoln Highway

County: Tooele

County Road Number: tc02609

State Geographic Information Database (SGID) Road Identification Number: RD230086.

Total Road Length: 3.66 miles more or less.

Beginning at a point on the road centerline located at 40 degrees 17 minutes 21.73 seconds North Latitude and -112 degrees 44 minutes 32.04 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,293,897.8 feet and Y = 7,276,536.9 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 40 degrees 20 minutes 13.49 seconds North Latitude and -112 degrees 43 minutes 32.49 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,298,749.5 feet and Y = 7,293,851.8 feet based on the US Survey Foot conversion.

This road may traverse:

Township 5 South Range 8 West, Section(s) 35, Salt Lake Base & Meridian Township 6 South Range 8 West, Section(s) 2,3,10,15, Salt Lake Base & Meridian See Attachment 1 above for a cartographic depiction of the course of this road.

Attachment 4 Road Centerline Description Cover Page(s)

Popular Name: Lincoln Highway

County: Tooele

County Road Number: tc02609

State Geographic Information Database (SGID) Road Identification Number: RD230086.

Total Road Length: 3.66 miles more or less.

Centerline Descriptions Of Road-Segments That Cross Over Federally Owned Land, Derived From Global Positioning System Data And Cross-checked against USGS Digital Orthophoto Quadrangles Compiled By The Utah Automated Geographic Reference Center And Entered Into The State Geographic Information Database (SGID).

| Road-Segments Listed by SGID Road Identification Number (RD ID) | Road-Segment Numbers | Believed Ownership Of Servient Estate | Approximate Segment Length | See Attached Appendix |
|---|-------------------------|--|----------------------------------|--------------------------|
| RD230086 | 001 | PVT | 0.69 Miles | (not shown) |
| RD230086 | 002 | BLM | 0.22 Miles | A |
| RD230086 | 003 | PVT | 0.23 Miles | (not shown) |
| RD230086 | 004 | BLM | 1.01 Miles | В |
| RD230086 | 005 | PVT | 0.02 Miles | (not shown) |
| RD230086 | 006 | BLM | 1.03 Miles | C |
| RD230086 | 007 | PVT | 0.46 Miles | (not shown) |
| | | Total Road Length | 3.66 | |

^{*} Indicates that a Title V permit will be requested, is in process, or has been issued.

[†] Indicates that road-segments crossing Forest Service land are under consideration by the state and county as of the date of this Acknowledgment and Notice of Acknowledgment.

Attachment 5

AFFIDAVIT OF BRUCE H. SOELBERG

LINCOLN HIGHWAY

COUNTY ROAD NUMBER tc02609

TOOELE COUNTY, UTAH

| State of Utah |) |
|------------------|-------|
| | : ss. |
| County of Tooele |) |

BRUCE H. SOELBERG, being first duly sworn, deposes and states as follows:

- 1. I am an adult competent to testify about the matters set forth below based upon my personal knowledge. I have lived in Tooele County for 69 years.
- 2. I have traveled and am familiar with a road in Tooele County known as Lincoln Highway. I am also familiar with the land the road traverses. When I first used and observed the road in the early 1950s it followed the same route as in 2008 when I last observed it. Attached is a Tooele County map showing Lincoln Highway. To the best of my knowledge and based upon my use of and familiarity with this road and the land it traverses, the location and route of the road are correctly illustrated on the attached map. The County also identifies this road according to the road number listed above.
- 3. I have observed that the road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1950s and continuing through 1976 to 2008. Throughout this time period I have observed travel on the road by various means, including pickups, cars, semi trucks, construction vehicles, motorcycles, and jeeps. Throughout this time period, the road has been used daily, weather permitting, for more than ten continuous years prior to 1976, and was so used in 2008.

- 4. Throughout the time period from the early 1950s to 2008, I have used the road myself for hunting, sight seeing, livestock operations and travel in and through the area.
- 5. Throughout the time period described in the previous paragraph, I observed vehicles using the road at various times for the uses described in the previous paragraph, plus residential access, farming and mining access.
- 6. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the late 1800s.
- 7. Prior to 1976, I observed a grader performing maintenance and construction activities on the road. The road is now paved.

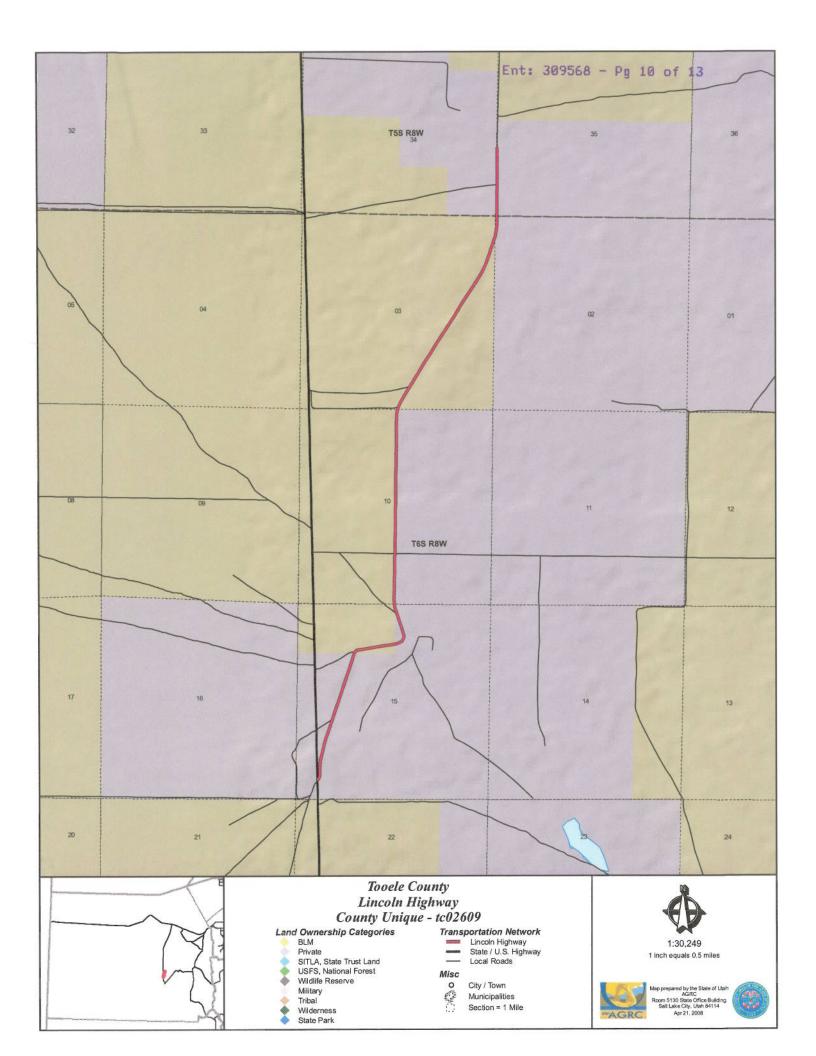
Dated this ______ day of May, 2008.

Bruce H Saelberg BRUCE H. SOELBERG

SUBSCRIBED AND SWORN to before me this _____ day of May, 2008.

Notary Public
GLORIA SCHRADER
5110 State Office Bldg.
Salt Lake City, UT 84114-2477
My Commission Expires
October 10, 2008
State of Utah

NOTARY PUBLIC



AFFIDAVIT OF WAYNE BOYER

LINCOLN HIGHWAY

TOOELE COUNTY, UTAH

ROAD NUMBER tc2609

| State of Utah |) |
|------------------|------|
| | : SS |
| County of Tooele |) |

WAYNE BOYER, being first duly sworn, deposes and states as follows:

- 1. I am an adult competent to testify about the matters set forth below based upon my personal knowledge. I currently reside in Grantsville, Tooele County, Utah. I was born and raised in Tooele County and have lived here all of my life for 64 years.
- 2. I have traveled and am familiar with a road in Tooele County known as Lincoln Highway. I am also familiar with the land the road traverses. When I first used and observed the road in the early 1960s it followed the same route as in 2006 when I last observed it.

 Attached is a Tooele County map showing Lincoln Highway. To the best of my knowledge and based upon my use of and familiarity with this road and the land it traverses, the location and route of the road are correctly illustrated on the attached map.
- 3. I am informed that the County also identifies this road according to the road number listed above.
- 4. I have observed that the road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1960s and continuing through 2006. During this time period I have observed travel on the road by means of cars, pickup trucks and ATVs. During this time period, the road was used daily for more than ten continuous years prior to 1976 and was so used in 2006.

- 5. During the time period from the early 1960s to 2006, I have used the road myself for travel in and through the area to and from work.
- 6. During the time period described in the previous paragraph, I have observed other vehicles from the general public using the road at various times for the uses described in the previous paragraph, plus livestock operations, hunting and recreation.
- 7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.
 - 8. Prior to 1976, I observed graders and equipment performing maintenance and construction activities on the road.

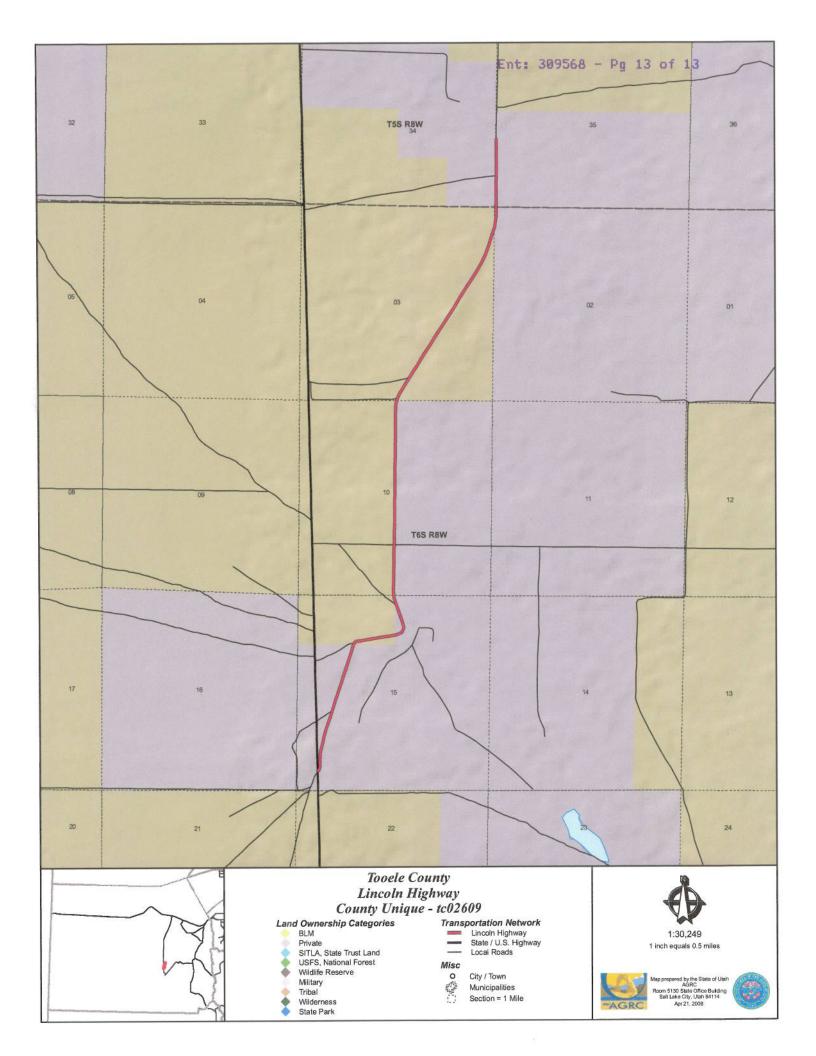
DATED this ____ day of May, 2008.

WAYNE BOYER

SUBSCRIBED AND SWORN to before me this _____ day of May, 2008.

Notary Public
GLORIA SCHRADER
5110 State Office Bldg.
Salt Lake City, UT 84114-2477
My Commission Expires
October 10, 2008
State of Utah

NOTARY PUBLIC



Appendix A to Attachment 4

Popular Name: Lincoln Highway

County: Tooele

County Road Number: tc02609

State Geographic Information Database (SGID) Road Identification Number: RD230086.

Road-Segment Number: 002

Road-Segment Length: 0.22 miles more or less.

Believed owner of the land underlying this road-segment is: Bureau of Land Management.

The following description is based upon the geographic coordinate system using the NAD83 Datum. The source is GPS mapping grade data as indicated in the metadata and/or the transportation data model of the State of Utah Geographic Information Database (SGID).

The road-segment itself is the monument that is identified by its physical presence on the land. The location of said physical presence is closely approximated by mapping grade Global Positioning System (GPS) data. Said data are checked against the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS) to verify a reasonable degree of accuracy. In circumstances where accurate satellite signal acquisition is not possible, such as deep, narrow canyons or under a canopy of dense foliage, or where very sharp curves in the road make accuracy questionable, such portions of the road were digitized from the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS).

This road-segment may traverse:

Township 6 South Range 8 West, Section(s) 15, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (Lincoln Highway)-- Segment 002 based on mapping grade Global Positioning System (GPS) data as defined above:

Beginning at a point on the road center line located at 40 degrees 17 minutes 56.25 seconds North Latitude and -112 degrees 44 minutes 19.86 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,294,889.7 feet and Y = 7,280,016.1 feet; thence the following courses along the said road center line:

```
thence North 36 Degrees 40 Minutes 51 Seconds East 71.3 feet thence North 43 Degrees 11 Minutes 59 Seconds East 9.1 feet thence North 68 Degrees 50 Minutes 24 Seconds East 32.3 feet thence North 81 Degrees 50 Minutes 50 Seconds East 120.6 feet thence North 79 Degrees 56 Minutes 17 Seconds East 184.4 feet thence North 80 Degrees 01 Minutes 33 Seconds East 205.7 feet thence North 81 Degrees 29 Minutes 52 Seconds East 196.2 feet thence North 81 Degrees 37 Minutes 25 Seconds East 187.6 feet
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thence North 78 Degrees 33 Minutes 24 Seconds East 132.3 feet more or less to **the ending point at:** 40 degrees 17 minutes 058.8 seconds North Latitude and -112 degrees 44 minutes 05.82 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet

coordinates of X = 1,295,981.3 feet and Y = 7,280,259.1 feet.

Appendix B to Attachment 4

Popular Name: Lincoln Highway

County: Tooele

County Road Number: tc02609

State Geographic Information Database (SGID) Road Identification Number: RD230086.

Road-Segment Number: 004

Road-Segment Length: 1.01 miles more or less.

Believed owner of the land underlying this road-segment is: Bureau of Land Management.

The following description is based upon the geographic coordinate system using the NAD83 Datum. The source is GPS mapping grade data as indicated in the metadata and/or the transportation data model of the State of Utah Geographic Information Database (SGID).

The road-segment itself is the monument that is identified by its physical presence on the land. The location of said physical presence is closely approximated by mapping grade Global Positioning System (GPS) data. Said data are checked against the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS) to verify a reasonable degree of accuracy. In circumstances where accurate satellite signal acquisition is not possible, such as deep, narrow canyons or under a canopy of dense foliage, or where very sharp curves in the road make accuracy questionable, such portions of the road were digitized from the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS).

This road-segment may traverse:

Township 6 South Range 8 West, Section(s) 10,15, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (Lincoln Highway)-- Segment 004 based on mapping grade Global Positioning System (GPS) data as defined above:

Beginning at a point on the road center line located at 40 degrees 18 minutes 08.59 seconds North Latitude and -112 degrees 44 minutes 05.86 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,295,991.4 feet and Y = 7,281,250.3 feet; thence the following courses along the said road center line:

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thence North 18 Degrees 45 Minutes 58 Seconds West 19.5 feet thence North 04 Degrees 22 Minutes 14 Seconds West 81 feet thence North 04 Degrees 23 Minutes 04 Seconds West 132.8 feet thence North 00 Degrees 46 Minutes 57 Seconds East 236.3 feet thence North 00 Degrees 46 Minutes 38 Seconds East 254.3 feet thence North 00 Degrees 22 Minutes 02 Seconds East 269.1 feet thence North 00 Degrees 46 Minutes 48 Seconds East 219.9 feet thence North 01 Degrees 26 Minutes 17 Seconds East 201.9 feet thence North 00 Degrees 56 Minutes 29 Seconds East 14.8 feet thence North 00 Degrees 40 Minutes 46 Seconds East 15.8 feet thence North 00 Degrees 37 Minutes 24 Seconds East 19.7 feet
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thence North 00 Degrees 50 Minutes 25 Seconds East 144.4 feet
thence North 00 Degrees 48 Minutes 17 Seconds East 198.5 feet
thence North 00 Degrees 43 Minutes 56 Seconds East 229.7 feet
thence North 00 Degrees 21 Minutes 21 Seconds East 246.1 feet
thence North 00 Degrees 42 Minutes 57 Seconds East 233.3 feet
thence North 00 Degrees 07 Minutes 04 Seconds East 167.3 feet
thence North 00 Degrees 42 Minutes 36 Seconds East 126.3 feet
thence North 00 Degrees 19 Minutes 53 Seconds West 213.3 feet
thence North 00 Degrees 20 Minutes 33 Seconds East 251 feet
thence North 00 Degrees 21 Minutes 31 Seconds East 272.3 feet
thence North 01 Degrees 10 Minutes 26 Seconds East 287.2 feet
thence North 00 Degrees 22 Minutes 49 Seconds East 290.4 feet
thence North 00 Degrees 47 Minutes 21 Seconds East 301.9 feet
thence North 00 Degrees 23 Minutes 17 Seconds East 313.4 feet
thence North 00 Degrees 24 Minutes 13 Seconds East 306.8 feet
thence North 00 Degrees 50 Minutes 43 Seconds East 239.6 feet
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thence North 13 Degrees 42 Minutes 16 Seconds East 7.8 feet more or less to **the ending point** at: 40 degrees 19 minutes 01.29 seconds North Latitude and -112 degrees 44 minutes 06.39 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,296,024.2 feet and Y = 7,286,582.5 feet.

Appendix C to Attachment 4

Popular Name: Lincoln Highway

County: Tooele

County Road Number: tc02609

State Geographic Information Database (SGID) Road Identification Number: RD230086.

Road-Segment Number: 006

Road-Segment Length: 1.03 miles more or less.

Believed owner of the land underlying this road-segment is: Bureau of Land Management.

The following description is based upon the geographic coordinate system using the NAD83 Datum. The source is GPS mapping grade data as indicated in the metadata and/or the transportation data model of the State of Utah Geographic Information Database (SGID).

The road-segment itself is the monument that is identified by its physical presence on the land. The location of said physical presence is closely approximated by mapping grade Global Positioning System (GPS) data. Said data are checked against the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS) to verify a reasonable degree of accuracy. In circumstances where accurate satellite signal acquisition is not possible, such as deep, narrow canyons or under a canopy of dense foliage, or where very sharp curves in the road make accuracy questionable, such portions of the road were digitized from the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS).

This road-segment may traverse:

Township 6 South Range 8 West, Section(s) 3, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (Lincoln Highway)-- Segment 006 based on mapping grade Global Positioning System (GPS) data as defined above:

Beginning at a point on the road center line located at 40 degrees 19 minutes 02.27 seconds North Latitude and -112 degrees 44 minutes 06.09 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,296,048.4 feet and Y = 7,286,681.3 feet; thence the following courses along the said road center line:

```
thence North 13 Degrees 44 Minutes 37 Seconds East 69.7 feet thence North 26 Degrees 24 Minutes 59 Seconds East 137.8 feet thence North 29 Degrees 04 Minutes 31 Seconds East 103.6 feet thence North 31 Degrees 45 Minutes 45 Seconds East 156.9 feet thence North 32 Degrees 11 Minutes 08 Seconds East 249 feet thence North 31 Degrees 28 Minutes 01 Seconds East 212.3 feet thence North 31 Degrees 43 Minutes 34 Seconds East 265.2 feet thence North 31 Degrees 59 Minutes 49 Seconds East 283.5 feet thence North 32 Degrees 11 Minutes 21 Seconds East 289.9 feet thence North 31 Degrees 59 Minutes 51 Seconds East 295.1 feet thence North 32 Degrees 06 Minutes 06 Seconds East 307.1 feet
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thence North 32 Degrees 06 Minutes 06 Seconds East 307.1 feet
thence North 31 Degrees 58 Minutes 23 Seconds East 312.5 feet
thence North 32 Degrees 06 Minutes 06 Seconds East 307.1 feet
thence North 32 Degrees 29 Minutes 29 Seconds East 294.8 feet
thence North 32 Degrees 21 Minutes 18 Seconds East 280.7 feet
thence North 32 Degrees 18 Minutes 39 Seconds East 268.9 feet
thence North 31 Degrees 25 Minutes 49 Seconds East 262.4 feet
thence North 24 Degrees 06 Minutes 43 Seconds East 257.7 feet
thence North 19 Degrees 50 Minutes 14 Seconds East 267.4 feet
thence North 18 Degrees 19 Minutes 49 Seconds East 261.5 feet
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thence North 17 Degrees 13 Minutes 24 Seconds East 260.2 feet more or less to the ending point at: 40 degrees 19 minutes 49.41 seconds North Latitude and -112 degrees 43 minutes 32.67 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,298,702.6 feet and Y = 7,291,415.6 feet.